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Signature: /Gary R. Fabian/ Reg. No. 33,875

Date: 05 January 2010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Williams, A., et al.

Confirmation No. 6889

Serial No.: 09/410,462

Art Unit: 1635

Filing Date: 1 October 1999

Examiner: J.E. Angell

Title: A SINGLE AGENT METHOD FOR KILLING TUMOR AND TUMOR ASSOCIATED
ENDOTHELIAL CELLS USING ADENOVIRAL MUTANTS

INTERVIEW SUMMARY

Mail Stop: Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On Tuesday, 5 January 2010, the Examiner and the undersigned discussed the Notice of Non-Compliance with 37 C.F.R. 1.192(c), mailed 7 December 2009. The Examiner and the undersigned agreed that the Appeal Brief, filed 31 August 2009, is in compliance with the requirements set forth in 37 C.F.R. §41.37(c)(1) regarding the summary of claimed subject matter. Accordingly, the Examiner agreed to withdraw the Notice of Non-Compliance with 37 C.F.R. 1.192(c), mailed 7 December 2009. Therefore, no response by Appellants to the Notice is required.

The Examiner noted that he would take the appropriate action to withdraw the Notice.

If the Examiner notes any further matters that the Examiner believes may be expedited by a telephone interview, the Examiner is requested to contact the undersigned at (650) 780-9030.

Respectfully submitted,

Date: 05 January 2010 By: /Gary R. Fabian/
Gary R. Fabian, Ph.D.
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